## PETITION OR ZONING RE-CLA DIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

CHARLES J. SPALLITTA \_legal owner... of the property situate in Bal County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property he re-classified, pursuant

tion, under the said Zoning Law and Zoning Regulations of Baltin County, to use the herein described property, for Office Building

Property is to be posted and advertised as prescribed by Zoning Regulat

I, or we, agree to pay expenses of above re-classification and/or Special Exception adposting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning

Petitioner's Attorney 610 Bosley Avenue Towson, Maryland 21204 296-2600

Janua & Zuning

ORDER RECEIVED

24 Glen Alpine Road

Phoenix, Maryland 21131

23.36

SE

X-53/14

., 197 6, that the subject matter of this petition be advertised, as out Baltimore County, that property be posted, and that the public hearing be had before the Zoning nore County in Room 106, County Office Building in Towson, Baltimore 197 6, at 1:00 o'clock

1001

Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION W/S of York Road, 46' S of Lincoln Street-8th Election District Charles J. Spallitta - Petitioner NO. 75-192-X (Item No. 153)

111 111 111

Eighth Election District of Baltimore County

BEFORE THE DEPUTY ZONING

COMMISSIONER

: BALTIMORE COUNTY 111 111 111

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for an office building in a D.R.16 Zone. The subject property is located on the west side of York Road, 48 feet south of Lincoln Street, in the

Testimony on behalf of the Petitioner indicated that the subject building is presently a vacant one-story frame dwelling, situated on 0.22 acres, more or less. The Petitioner wishes to utilize the "welling as an office for his mechanical contracting business. Additional testimony was offered to the or similar supplies would be made to the subject location.

Further testimony, including that of Mr. David Horn, a qualified real estate appraiser, the Director of Planning, and comments submitted by the ing of York Road and nearby business uses, make the proposed office building compatible with its surroundings. Also, it would not add appreciable

ut reviewing the evidence further in detail, but based on all the dence presented at the hearing, in the judgment of the Deputy Zoning Co. saioner, the prerequisites of Section 502.1 have been met and the Special Exception for an office building should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 57W. day of April, 1976, that the Special Exception for an office building should be and the same is GRANTED, from an after the date of this Order, subject to approval of a site plan by the State Highway Administration, the Department of Public Works and the Office of Planning and Zoning.

RE: PETITION FOR SPECIAL EXCEPTION West side of York Road 46 feet Sout of Lincoln Street, 8th District

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY CHARLES J. SPALLITTA, Petitioner : Case No. 76-192-X

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, e passage of any preliminary or final Order in connection therewith.

Charles E. Lounts Charles E. Kountz, Jr. Deputy People's Counsel

John W. Herrian, III John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494–2188

I HEREBY CERTIFY that on this 18th day of March, 1976, a copy of the foregoing Order was mailed to Mr. Charles J. Spallitta, 24 Glen Alpine Road, Phoenix, Maryland 21131. Petitione

John W. Hessian, II



EVANS, HAGAN & HOLDEFER, INC.

Jenuary 23, 1875

DESCRIPTION TO ACCOMPANY PETITION FOR A SPECIAL EXCEPTION FOR OFFICES IN A DA 16 ZONE AT 2230 YORK ROAD, BED ELECTION LIGHTHICT, DALTHOUS GOUNTY, MARYLAND

[98 Feet wide] said point being situate 46 Feet messared cournerly llong said sest wide of York hand from its intersection with the side of Lincoln Street, 30 Feet wide, thanks leaving said (1) Bouth 12 ducreus 18 minutes 00 seconds East 80.00 fost, thancs leaving seid wast give of York Abad and running the 3 follows ing courses and distances, (2) South 77 degrees 42 minutes DO West 119,00 Fest, Apra or lass, thence (8) North 15 degrees 18 plrutes 00 seconds West 80.00 feet and theres (4) North 77 degrees 42 afrutes 00 seconds Sast 119.00 feet, more or less, to the place of beginning.

Containing 0.22 scree of land more or less.

If its description has been prepared for zoning purposes only and does



BALTIMORE COUNTY, MARYEND

S. Bric Dillenna, Zoning Commissioner Date March 5, 1976

William D. Fromm, Director of Planning

SUBJECT Petition #76-192-X. Petition for Special Exception for an Office Building. West mide of York Hoad 45 feet South of Limcoln Street, Petitioner - Charles J. Spallitta

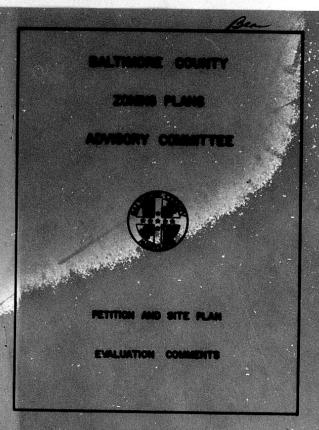
8th District

3

aring : Monday, March 22, 1976 at 1:00 P.M.

Neilean Show William D. From

WDF: JGH: nl



Charles E. Brooks, Esquire 610 Bosley Avenue Towson, Maryland 21204

RE: Petition for Special Exception W/S of York Road, 46' S of Lincoln Street - 8th Election District Charles J. Spailitta - Petitioner NO. 76-192-X (Item No. 153)

April 6, 1976

I have this date passed my Order in the above captioned matter in

GJM/mc

cc: John W. Hessian, III, Esquire People's Counsel

MAY 2 0 1976

## BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG: 111 W. Chrospeshe Ave. Towner, Maryland 21204

BUREAU OF DEPARTMENT OF

STATE BOADS COM BUREAU OF FIRE PREVENTION

BUILDING DEPARTME BOARD OF EDUCATION ZONING ADMINISTRATIO

INDUSTRIAL DEVELOPMENT

March 16. 1976

Charles E. Brooks, Esq. 610 Bosley Avenue Towson, Maryland 21204

RE: Item 153
Special Exception Petition
Charles J. Spallitta Petitioner

Office of Planning and Zoning

Item No. 153

Baltimore County Office Building Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman

Zoning Advisory Committee

Department of Public Works.

( ) 3. The vehicle dead-end condition shown at\_

Location: W/S York Rd. 48' S. Lincoln St.

Re: Property Owner: Charles J. Spallitta

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the west side of York Road, 48 feet south of Lincoln Street, and is currently improved with a one-story frame dwelling with an unterior mysteriously resembling an office wilding. As if by coincidence, the petitioner is requesting a Special Exception to permit an office use in th's D.R. 16 zone. Properties on either side along York Road are improved currently with residential structures, yet it is clear that these residences will not withstand the commercial encroachment on both sides of York Road after its recent widening and improvement. Properties to the rear of the York Road frontage are zoned D.R. 3.5 and contain single family residential development.

Zoning Agenda February 3, 1976

Charles E. Brooks, Esq. Re: Item 153 March 16, 1976 Page 2

The petitioner should note with particular interest the comments of the State Highway Administration concerning the required entrance with the Department of Traffic Engineering regarding York Road and its capacity problems, the Health Department concerning Jones Falls moratorium area, and the Project and Development Planning division as to other incidental yet important site planning considerations.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

FrankLIN T. HOGANS, JR. Chairman, Zoning Plans Advisory Committee

PTH:JD

cc: Evans, Hagan & Holdefer, Inc. 8013 Belair Road Baltimore, Maryland 21236

March 2, 1976

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: Item 153 - ZAC - February 3, 1976 Property Owner: Charles J. Spallitta Location: W/S York Road 48° 5 Lincoln St. Existing Zoning: D.R. 16 Proposed Zoning: Special Exception for office building No. of Acres: 0.22 District: 8th

The requested special exception for offices is not expected to be a major traffic generator, but due to the existing capacity problem in the York Road Corridor any increase in traffic is undesirable.

Michael S. Flanigan

DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE AND COUNTY HEALTH OFFICER

Sediment Control:

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Dear Mr. DiNenna

. Maryland 21204

February 17, 1976

Mr. S. Eric Dilenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #153, Zoning Advisory Committee Meeting, February 3, 1976, are as follows:

March 17, 1976

Re: Item #153 (1975-1976)

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

York Road (Md. 45) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-vf-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

It is the responsibility of the Petitioner to ascertain and clarify his rights in and to the 12-foot residential alley adjacent to the rear of these several lots known as Lots 7, 8, 9 and 10, Block "D" as shown on the plat of "Timonium Heights", recorded M.P.C. 7, Polio 82.

Baltimore County has utility easement rights within the alley and an 8-inch public sanitary sewer therein (Drawing 669-0244, File 1). The Petitioner is cautioned that no encroachment by construction of any structure, including footings will be permitted wit. In County rights-of-way or utility easements.

The entrance locations are subject to approval by the Department of  $\,$  Traffic Engineering.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Property Owner: Charles J. Spallitta W/S York Rd., 48' S. Lincoln St.

Existing Zoning: DR 16
Proposed Zoning: Special Exception for office building.
No. of Acres: 0.22 District: 8th

Property Owner: Charles J. Spallitta Location: W/S York Rd. 48' S Lincoln St. Existing Zoning: D.R. 16 Proposed Zoning: Special Exception for office building No. Acres: 0.22 District: 8th

Metropolitan water and sever are existing.

A moratorium was placed on new sewer connections in the Jones Falls Drainage Sasin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on November 13, 1973; therefore, approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

RJW: pbe

Item #153 (1975-1976) Property Owner: Charles J. Spallitta Page 2

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessary drainage facilities (temporary or permanen to prevent creating any muisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this dwelling. Additional fire hydrant protection may be required in the vicinity.

This property is tributary to the Jones Palls Sanitary Sewer System, subject to State Health Department imposed moratorium restrictions.

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END : EAM : FWR : SS

S-NE Key Sheet 57 NW 3 Pos. Sheet NW 15 A Topo 51 Tax Map

FEBRUARY 10, 1976

Mr. S. Eric DiNenna Zoning Commissioner Attn: Mr. Franklin Hogans

Re: Z.A.C. meeting 2-3-76 ITEM: 153 Prop. Owner: Charles J. Spallitta Location: W/S York Rd. Rt. 45 48'S Lin-coln St. Existing Zoning: D.R. 16 16
Proposed Zoning: Specl
Excep. for office
building.
No. Acres: 0.22
District: 8th

The minimum width for a commercial entrance is 25 feet. The plan must be revised accordingly. The entrance reconstruction must be done under permit from the State Highway Administration.

CL:gjc

Very truly yours,

Charles Lee, Chief Bureau of Engineering Access Permits John 5 mayors by! Mr. John E. Meyers



P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

EXCESS the maximum allowed by the Fire Department.

() h. The sits shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

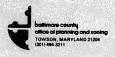
() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Mationel Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior (xx) 6. Site plans are approved as drawn. ( ) 7. The Fire Prevention Bureau has no comments at this time. Moted and Lows M. Marghy
Approved:
Acting Deputy Chief Reviewer: Ponal Magaza Approved:
Planning Group Approved:
Special Inspection Division Fire Pre

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Pire hydrants for the referenced property are required and shall be located at intervals of feet along an approved road in accordance with Baltimore County Standards as published by the

( ) 2. A second means of vehicle access is required for the site.

STEPHEN E. COLLINS



February 27, 1976

Mr. S. Eric DiNenna, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #153, Zoning Advisory Committee Meeting, February 3, 1976, are as follows:

Property Owner: Charles J. Spallitta Location: W/S York Road 48' S. Lincoln St. Existing Zoning: D.R.16 Proposed Zoning: S1ecial Exception for office building No. Acres: 0.22

This office has reviewed the subject petition and offers the fallowing comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this putition.

The minimum width for a commercial driveway is 25 feet. The plan must be revised to show the required width of the driveway and must be directly into the parking area. The parking area should show the large: existing evergreen trees and these trees should be saved. The type of paving must be noted.

If the petition is granted, it should be for the existing building.

Posted for: PETITION FOR SPECIAL EXCEPTION CHARLES J. SPALLITTA

Location of Signe: FROUT 2330 YORK Po

Posted by Thouse X. Baland

Location of property: US CF YCRK Rd. 46' S OF LANCELN ST

Very truly yours,

1-SIGN

ARTHENT OF BALTIMORS COUNTY

CERTIFICATE OF POSTING

John Zevenbly

76-192-X

Date of Posting MARCH 6 1976

Date of return: MARCH 12, 1976

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 9, 1976

Mr. S. Eric Dillenna Zoning Commissioner Buillmore County Office Building Towson, Maryland 21204

Z.A.C. Meeting of: February 3, 1976

0.22

District: No. Acres:

No bearing on student population.

W. Nick Petrovich.,

Field Representative.

WNP/ml

M PART OF BARES, MARRIED

JOSEPH N. MICOWAN ALVIN LORECK

RICHARD W. TRACEY, V.M.D.

MES BODEST L BEANCY

Me. 33313

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received • this day of

Piling Fee \$ 50 . Received Lamech Dol

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Petitioner's Attorney

OFFICE OF TOWSON LIMIES TOWSON, MD. 21204

THIS IS TO CERTIFY, that the annexed advertisement of

Petition for a Special Exception-- Spallitta was inserted in THE TOWSON TIMES, a weekly newspaper published

STROMBERG PUBLICATIONS, Inc.

76 192 x

CERTIFICATE OF PUBLICATION

TOWSON, MD. .... March 4 THIS IS TO CERTIFY, that the annexed ad published in THE JEFFERSONIAN, a weekly newspaper printed appearing on the \_\_\_\_ith \_\_day of \_\_\_ Narch\_ 19.75.

THE JEFFERSONIAN,

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Petitioner Charles J. Spallitte

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for day of



BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE Mar. 1, 1976 01-662 From Hearts, Brooks & Turnbull, 610 Bos, sly Ave. Charles J. Spallitta #76-192-X 2 449 AMA 2 50.0 CHSC

VALIDATION OR SIGNATURE OF CASHIER

OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE April 5, 1976 \$42.75 Nosers. Brooks & Turnbull, 610 Bosely Av. Townon, Md. 2120i, Merchising and poeting of proper for Charles J. Spallitte.—#76-192-X 897388 5 42758C VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

